

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.

PCT/EP2004/002005

Box No. I Basis of the report

1. With regard to the **language**, this report is based on the international application in the language in which it was filed, unless otherwise indicated under this item.
 - ☐ This report is based on translations from the original language into the following language _____, which is the language of a translation furnished for the purposes of:
 - ☐ international search (Rule 12.3 and 23.1(b))
 - ☐ publication of the international application (Rule 12.4)
 - ☐ international preliminary examination (Rule 55.2 and/or 55.3)
2. With regard to the **elements** of the international application, this report is based on *(replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report)*:
 - ☐ the international application as originally filed/furnished
 - ☒ the description:
 - pages 1-12 _____ as originally filed/furnished
 - pages* _____ received by this Authority on _____
 - pages* _____ received by this Authority on _____
 - ☒ the claims:
 - nos. _____ as originally filed/furnished
 - nos.* _____ as amended (together with any statement) under Article 19
 - nos.* 1-11 received by this Authority on 05.10.2004 with letter
 - nos.* _____ received by this Authority on of 04.10.2004
 - ☒ the drawings:
 - sheets 1/4-4/4 _____ as originally filed/furnished
 - sheets* _____ received by this Authority on _____
 - sheets* _____ received by this Authority on _____
 - ☐ a sequence listing and/or any related table(s) – see Supplemental Box Relating to Sequence Listing.
3. ☐ The amendments have resulted in the cancellation of:
 - ☐ the description, pages _____
 - ☐ the claims, nos. _____
 - ☐ the drawings, sheets/figs _____
 - ☐ the sequence listing (*specify*): _____
 - ☐ any table(s) related to sequence listing (*specify*): _____
4. ☐ This report has been established as if (some of) the amendments annexed to this report and listed below had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).
 - ☐ the description, pages _____
 - ☐ the claims, nos. _____
 - ☐ the drawings, sheets/figs _____
 - ☐ the sequence listing (*specify*): _____
 - ☐ any table(s) related to sequence listing (*specify*): _____

* If item 4 applies, some or all of those sheets may be marked "superseded."

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Box No. IV Lack of unity of invention

1. ☒ In response to the invitation to restrict or pay additional fees the applicant has:
 - ☒ restricted the claims.
 - ☐ paid additional fees.
 - ☐ paid additional fees under protest.
 - ☐ neither restricted the claims nor paid additional fees.
2. ☐ This Authority found that the requirement of unity of invention is not complied with and chose, according to Rule 68.1, not to invite the applicant to restrict or pay additional fees.
3. This Authority considers that the requirement of unity of invention in accordance with Rules 13.1, 13.2 and 13.3 is:
 - ☐ complied with.
 - ☐ not complied with for the following reasons:
4. Consequently, this report has been established in respect of the following parts of the international application:
 - ☐ all parts.
 - ☐ the parts relating to claims Nos. _____

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Box No. V	Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement																								
1.	Statement <table border="0"><tr><td>Novelty (N)</td><td>Claims</td><td>1-11</td><td>YES</td></tr><tr><td></td><td>Claims</td><td></td><td>NO</td></tr><tr><td>Inventive step (IS)</td><td>Claims</td><td>1-11</td><td>YES</td></tr><tr><td></td><td>Claims</td><td></td><td>NO</td></tr><tr><td>Industrial applicability (IA)</td><td>Claims</td><td>1-11</td><td>YES</td></tr><tr><td></td><td>Claims</td><td></td><td>NO</td></tr></table>	Novelty (N)	Claims	1-11	YES		Claims		NO	Inventive step (IS)	Claims	1-11	YES		Claims		NO	Industrial applicability (IA)	Claims	1-11	YES		Claims		NO
Novelty (N)	Claims	1-11	YES																						
	Claims		NO																						
Inventive step (IS)	Claims	1-11	YES																						
	Claims		NO																						
Industrial applicability (IA)	Claims	1-11	YES																						
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2.	Citations and explanations (Rule 70.7) <p>Reference is made to the following document:</p> <p>D1: US 2002/073478 A1 (JAMES MICHAEL K) 20 June 2002 (2002-06-20)</p> <p>1 Claim 1 - Novelty (PCT Article 33(2))</p> <p>1.1 D1, which is considered the prior art closest to the subject matter of claim 1, discloses (the references in parentheses relate to said document):</p> <p>- a hat part (16) made of a plastics material which maintains its shape below a first temperature and can be deformed above said first temperature, the plastics material having a softening temperature of 60 °C to 140 °C, the material being formable above said temperature and remaining in its formed shape below the softening temperature.</p> <p>1.2 The subject matter of claim 1 differs therefore from the known hat part in that the plastics material is injection moulded.</p>																								

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Box No. V	Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
1.3	The subject matter of claim 1 is therefore novel (PCT Article 33(2)).
2	Claim 1 - Inventive step (PCT Article 33(3))
2.1	Proceeding from this prior art, the present invention addresses the problem of providing a hat part that, using simple means, provides shape-adaptable protection for a cap.
2.2	The solution proposed in claim 1 is neither contained in nor obvious from the available prior art, and therefore involves an inventive step (PCT Article 33(3)).
3	Dependent claims
3.1	Claims 2-11 are dependent on claim 1 and therefore likewise meet the PCT novelty and inventive step requirements.